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OFFICE OF PETITIONS

In re Application of	:	
PRATHER et al	:	
Application No.: 10/645,820	:	DECISION ON PETITION
Filing Date: August 18, 2003	:	UNDER 37 CFR 1.137(b)
Attorney Docket No.: MW015	:	

This is a decision on the petition under 37 CFR 1.137(b), filed September 6, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed February 2, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, by operation of law, the above-identified application became abandoned on March 2, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment and arguments; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action mailed September 6, 2006 is accepted as having been unintentionally delayed.

The Notice of Abandonment mailed 07 September 2006 is hereby VACATED.

This application is being referred to Technology Center AU 3618 for appropriate action on the reply in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3301.


Daniel Stemmer
Legal Examiner
Office of the Deputy Commissioner
for Patent Examination Policy